



General Assembly

January Session, 2017

Committee Bill No. 6547

LCO No. 5399



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

**AN ACT CONCERNING A CONNECTICUT GREEN PLAN AND LAND
RESOURCE AND USE INVENTORY FOR ENERGY
INFRASTRUCTURE.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2017*) (a) There is established a
2 Connecticut Land Resource and Use Inventory and Green Plan
3 Advisory Committee that shall assist the Commissioner of Energy and
4 Environmental Protection with the drafting of the Connecticut Land
5 Resource and Use Inventory and the Connecticut Green Plan, as
6 described in subsection (b) of this section. Such advisory committee
7 shall consist of the following members: (1) The Commissioners of
8 Energy and Environmental Protection and Agriculture, or the
9 commissioners' designees, (2) the chairperson of the Public Utilities
10 Regulatory Authority, or the chairperson's designee, (3) the Secretary
11 of the Office of Policy and Management, or the secretary's designee, (4)
12 a faculty member of the Center for Land Use Education and Research
13 at The University of Connecticut, as appointed by the Governor, (5) a
14 representative of the Connecticut Siting Council, (6) a representative of
15 the Connecticut Green Bank, (7) a representative of the solar
16 photovoltaic industry, as appointed by the minority leader of the

17 Senate, (8) a representative of a conservation organization that
18 specializes in ____, as appointed by the president pro tempore of the
19 Senate, (9) a representative of the gas and electric distribution
20 industries, as appointed by the Governor, (10) a representative of the
21 fuel cell industry, as appointed by the speaker of the House of
22 Representatives, (11) a representative of the farming community, as
23 appointed by the minority leader of the House of Representatives, (12)
24 a representative of a nonprofit conservation organization with
25 expertise in ____, as appointed by the Governor, (13) a representative
26 of either the ____ industry or an organization familiar with ____, as
27 appointed by the Governor, (14) two representatives of ____
28 municipalities, one appointed by the majority leader of the House of
29 Representatives and one appointed by the Governor, and (15) a
30 representative of the ____ industries, as appointed by the majority
31 leader of the Senate. The Commissioner of Energy and Environmental
32 Protection shall convene the first meeting of such advisory committee
33 not later than sixty days after the effective date of this section and shall
34 serve as the chairperson of such advisory committee. The
35 commissioner may request members of the advisory committee to
36 assist with administrative functions of the advisory committee,
37 including, but not limited to, convening and noticing meetings and
38 drafting assessments and reports. The advisory committee shall be
39 located in the Department of Energy and Environmental Protection for
40 administrative purposes only.

41 (b) The Commissioner of Energy and Environmental Protection, in
42 conjunction with the Connecticut Land Resource and Use Inventory
43 and Green Plan Advisory Committee, established pursuant to
44 subsection (a) of this section, and within available resources, shall: (1)
45 Coordinate the completion of a Connecticut Land Resource and Use
46 Inventory by a Connecticut Land Inventory subcommittee to be
47 convened by The University of Connecticut. Such resource and use
48 inventory shall be comprised of the best available information and
49 data regarding the land resources within Connecticut and use of such
50 land, including, but not limited to, all: (A) Plants; (B) habitats; (C)

51 prime farmland, unique farmland and farmland of state-wide
52 importance, as defined in 7 CFR 657, as amended from time to time;
53 (D) farm land, as defined in section 12-107b of the general statutes, not
54 included in subparagraph (C) of this subdivision; (E) forest land and
55 open space land, as defined in section 12-107b of the general statutes;
56 (F) brownfields, landfills and other previously developed land; (G)
57 uses of the land described in subparagraphs (C) to (E), inclusive, of this
58 subdivision, including, but not limited to: (i) Agricultural, (ii) forestry,
59 (iii) recreational, (iv) hunting, (v) commercial and industrial, (vi)
60 energy facilities, and (vii) electric power line, gas pipeline and
61 telecommunications crossings; and (H) any updates and additions to
62 the comprehensive environmental assessment and plan completed, in
63 accordance with section 25-157a of the general statutes; and (2)
64 develop a Connecticut Green Plan that may include maps, illustrations
65 and other media. Such Connecticut Green Plan shall: (A) Promote
66 science-based management practices that take into account the existing
67 natural, social, cultural, historic and economic characteristics of land
68 within Connecticut; (B) promote maximum accessibility to public land
69 in Connecticut for traditional public trust uses, except when necessary
70 to preserve public health, safety and welfare, or when it is in the
71 interest of national security; (C) reflect the importance of farm land
72 and forest land in Connecticut to the citizens of this state who derive
73 livelihood and recreation benefits from such land; (D) analyze the
74 implications of existing and potential uses and users of Connecticut
75 land with a focus on avoiding potential use conflicts; (E) be consistent
76 with the Connecticut Land Resource and Use Inventory, prepared
77 pursuant to subdivision (1) of this subsection, with provision for the
78 ongoing acquisition and application of up-to-date resource and use
79 data; (F) adapt to evolving knowledge and understanding of the state's
80 environment, including adaptation of climate change and rise in sea
81 level; (G) foster sustainable uses that capitalize on economic
82 opportunity without significant detriment to the ecology or natural
83 beauty of the state; (H) be coordinated, to the maximum extent
84 feasible, with local, regional and federal planning entities and

85 agencies; (I) be developed through a transparent and inclusive process
86 that seeks widespread participation of the public and stakeholders and
87 encourages public participation in decision making; (J) identify
88 appropriate locations and performance standards for activities, uses
89 and facilities regulated under existing state permit programs; (K) be
90 consistent with the state plan of conservation and development and
91 the goals and policies described in section 22a-92 of the general
92 statutes; (L) reflect the importance of planning for Connecticut land
93 use, including the identification of potential measures that encourage
94 such planning; and (M) provide recommendations for best practices
95 for placement of energy infrastructure on land within the state.

96 (c) The Connecticut Land Resource and Use Inventory and Green
97 Plan Advisory Committee shall hold not less than three public
98 hearings in different municipalities of the state to receive comments
99 and submissions from the public and interested persons and may
100 provide for other public outreach and input measures, as appropriate,
101 to assure sufficient stakeholder engagement and representation,
102 provided one such public hearing shall be held in ____, one such
103 public hearing shall be held in ____, and one such public hearing shall
104 be held in _____. The advisory committee shall assist the commissioner
105 in completing a draft of the Connecticut Land Resource and Use
106 Inventory and the Connecticut Green Plan not later than March 1,
107 2021.

108 (d) During the drafting of the Connecticut Land Resource and Use
109 Inventory and Connecticut Green Plan, and prior to making such draft
110 available for public comment, in accordance with subsection (e) of this
111 section, the advisory committee shall consult with the Commissioner
112 of Economic and Community Development, representatives of the
113 telecommunications industry, ____ businesses, the state's two federal
114 recognized Indian tribes and the tourism or recreation industry.

115 (e) Upon completion of the draft Connecticut Land Resource and
116 Use Inventory and the Connecticut Green Plan, the Commissioner of

117 Energy and Environmental Protection shall make such draft available
118 for public review and comment and shall publish notice thereof in the
119 Environmental Monitor and the Connecticut Law Journal. The
120 commissioner shall cause such draft and notice of public comment
121 period to be posted on the Internet web site of the Department of
122 Energy and Environmental Protection and the Office of Policy and
123 Management. Such notice of public comment period shall provide for a
124 public comment period of not less than ninety days. Not later than
125 ninety days after the end of such public comment period, the
126 commissioner shall adopt a final draft of the Connecticut Land
127 Resource and Use Inventory and the Connecticut Green Plan.

128 (f) Upon completion of the final draft of the Connecticut Green Plan,
129 such plan shall be submitted to the joint standing committees of the
130 General Assembly having cognizance of matters relating to energy and
131 land management. Said committees, not later than forty-five days after
132 the start of the next occurring legislative session following receipt of
133 such plan, shall conduct a public hearing on the plan. Not later than
134 forty-five days after such public hearing, said committees shall submit
135 such plan, in conjunction with the committees' recommendations for
136 approval or disapproval of such plan, to the General Assembly. Such
137 plan shall become effective when approved by a majority vote of each
138 chamber of the General Assembly. In the event that the General
139 Assembly disapproves the plan, in whole or in part, such plan shall be
140 deemed to be rejected and shall be returned to the advisory committee
141 for revision.

142 (g) Upon approval of such inventory and plan: (1) Such plan shall
143 be considered as a factor in the review of solicitations conducted by the
144 Commissioner of Energy and Environmental Protection pursuant to
145 sections 16a-3f, 16a-3g, 16a-3h and 16a-3j of the general statutes, (2) the
146 Commissioner of Energy and Environmental Protection shall, within
147 available resources, develop and implement a public outreach and
148 information program to provide information to the public regarding
149 the Connecticut Green Plan, (3) the Commissioner of Energy and

150 Environmental Protection shall provide for the review and update of
 151 such inventory and plan at least once every five years and any revision
 152 to such inventory and plan shall become effective upon approval by
 153 the General Assembly, in accordance with subsection (f) of this section,
 154 (4) the advisory committee, not later than six months after such
 155 approval, shall advise the commissioner on the operation,
 156 implementation and updating of the inventory and plan, as applicable,
 157 and shall meet on a quarterly basis to review implementation of such
 158 plan, identify emerging issues and recommend any necessary or
 159 desirable alterations or improvements to such plan, and (5) the
 160 advisory committee shall, within available resources, hold not less
 161 than one public hearing each year to receive comments and
 162 submissions from the public on such inventory and plan.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2017	New section
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Statement of Purpose:

To determine the best practices for placement of energy infrastructure.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. REED, 102nd Dist.; SEN. KENNEDY, 12th Dist.
 REP. URBAN, 43rd Dist.

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